

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2 and 4-11 are currently pending in the application, Claims 1, 4 and 9-11 having been amended and Claim 3 having been canceled by way of the present amendment. No new matter is added.¹

In the Office Action, Claims 1-8 were rejected under 35 U.S.C. §112, second paragraph; Claims 1 and 9-11 were rejected under 35 U.S.C. §103(a) as unpatentable over Haagen (U.S. Patent Publication No. 2007/0072542) in view of Horiuchi et al. (U.S. Patent Publication No. 2003/0061618, hereinafter “Horiuchi”) and Matsugami (J.P. Patent Publication No. 2003-319271); Claims 2-8 were rejected under 35 U.S.C. §103(a) as unpatentable over Haagen in view of Horiuchi and Matsugami, and further in view of Levine (U.S. Patent No. 4,908,713).

In response to the rejection of Claims 1-8 under 35 U.S.C. § 112, second paragraph, as indefinite, Applicants respectfully traverse the rejection of Claims 1, 2 and 4-8. Applicants note that the setting means, communication means, program table creation means and recording scheduling means of Claim 1 are described at paras. [0360], [0363], [0435]-[0447], and [0473]-[0487], respectively, of the published Specification. The time setting means and control means of Claim 2 are described at paras. [0480] and [0481]-[0484], respectively. The setting means, communication means, and program creation means of Claim 4 are described at paras. [0493]-[0494], [0493], and [0494], respectively. The setting means and communication means of Claim 5 are described at paras. [0315]-[0316] and [0437]-[0443], respectively. The setting means, communications means, and program table creation means of Claim 6 are described at paras. [0315]-[0316], [0451]-[0454] and [0469]-

¹ Support for the amendments to Claims 1 and 9-11 may be found at least at paras. [0493]. Claim 4 is amended to depend from Claim 1.

[0470], respectively. The communication means of Claim 7 is described at para. [0451]. The program table creation means of Claim 8 is described at para. [0495]. Accordingly, Applicants respectfully submit that the claims are definite and respectfully request that the rejections of Claims 1, 2 and 4-8 be withdrawn.

In response to the rejection of Claims 1 and 9-11 as unpatentable over Haagen in view of Horiuchi and Matsugami under 35 U.S.C. §103(a), Applicants respectfully traverse the rejection of amended Claim 1, which recites, in part,

recording scheduling means for, when a program *previously broadcasted within the broadcasting time period set by the setting means* is selected from the program table, scheduling the recording of a program to be broadcast from the broadcasting station set by the setting means based on the title and broadcasting date and time of the selected previously broadcasted program.

The Office Action acknowledges that Haagen fails to disclose “[t]hat the information concerning past programs can be selected and used as the basis for setting recording time of future programming.”² The Office Action relies on Horiuchi for disclosing that EPG creating units and web servers were located at the broadcasting stations, but Horiuchi fails to cure the deficiencies of Haagen.³ Horiuchi describes using a viewer’s watching or recording history to determine and display recommendation values for upcoming broadcast programs, but Horiuchi does not disclose scheduling a recording of a recommended program based on information about a selected previously broadcasted program.⁴

Matsugami also fails to cure the deficiencies of Haagen. Matsugami describes that a user can select a program from past EPG data stored in an EPG storage part that is displayed on a display part for watching or recording.⁵ However, Matsugami does not describe setting

² See November 26, 2010 Office Action at page 9.

³ See November 26, 2010 Office Action at page 9.

⁴ See Horiuchi at para. [0031].

⁵ See Matsugami at Abstract.

a time period for the displayed past EPG data or selecting a program from past EPG data limited to that past EPG data within a broadcasting time period set by a setting means.

Thus, Haagen in view of Horiuchi and Matsugami fail to disclose *recording scheduling means for, when a program previously broadcasted **within the broadcasting time period set by the setting means** is selected from the program table, scheduling the recording of a program to be broadcast from the broadcasting station set by the setting means based on the title and broadcasting date and time of the selected previously broadcasted program*, as recited in amended Claim 1. Therefore, amended Claim 1 (as well as Claims 2 and 4-8 which depend therefrom) are patentable over the cited references.

Amended Claims 9-11 recite features analogous to those of amended Claim 1 and so are patentable for at least the same reasons as Claim 1.

In response to the rejection of Claims 2-8 under 35 U.S.C. §103(a) as unpatentable over Haagen in view of Horiuchi and Matsugami, and further in view of Levine, Applicants respectfully submit that Claim 3 has been canceled and Claims 2 and 4-8 depend from amended Claim 1 and thus are patentable over Haagen in view of Horiuchi and Matsugami for at least the same reasons as Claim 1. Applicants further note that Levine merely describes a VCR programming apparatus via which a user enters a day, time and channel to record a broadcast program, and fails to disclose a program table or *recording scheduling means for, when a program previously broadcasted **within the broadcasting time period set by the setting means** is selected from the program table, scheduling the recording of a program to be broadcast from the broadcasting station set by the setting means based on the title and broadcasting date and time of the selected previously broadcasted program*, as recited in amended Claim 1. Accordingly, Claims 2 and 4-8, which depend from Claim 1, are patentable over Haagen in view of Horiuchi and Matsugami, and further in view of Levine.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 2 and 4-11 as amended is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance, and an early and favorable reconsideration of the application is therefore requested.

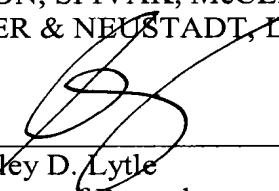
Respectfully submitted,

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